

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 1:05CR117-P-D

DENNIS “OIL CAN” BOYD

ORDER

This cause is before the Court on the defendant’s Motion for Continuance [10]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for January 3, 2006. Counsel for defendant avers that he lacks sufficient time to devote to trial preparation due to his trial obligations in another, previously scheduled matter. Based on the foregoing, the Court finds that the defendant’s Motion for Continuance is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from January 3, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford defendant a reasonable time for adequate and effective preparation of his defense. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant’s Motion for Continuance is GRANTED;
2. That the trial of this matter is continued until Monday, February 13, 2006 at 9:00 a.m.

in the United States District Courthouse in Greenville, Mississippi;

3. That the delay from January 3, 2006 until February 13, 2006 is excluded as set out above;
4. That the deadline for filing pretrial motions is January 23, 2006;
5. That the deadline for submitting a plea agreement is January 30, 2006.

SO ORDERED, this the 29th day of November, 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE